

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

CARL SUNDBERG JR., Personal)
Representative of the Deceased, Carl)
Sundberg, III,)

8:09CV228

Plaintiff,)

v.)

MEMORANDUM AND ORDER

DOES 1-5, in their individual and)
official capacities,)

Defendants.)

The plaintiff's complaint was filed against the State of Nebraska and Does 1-5, in their individual and official capacities on July 9, 2009. The court has dismissed the claims against the State of Nebraska. More than 120 days have lapsed since plaintiff's complaint was filed, and no summons have been requested or served on Does 1-5, and Does 1-5 have not entered an appearance. Accordingly,

IT IS ORDERED that plaintiff is given until November 23, 2009 to show cause why his claims against Does 1-5 should not be dismissed pursuant to Federal Rule of Civil Procedure 4(m) or for want of prosecution, in the absence of which plaintiff's claims against these defendants will be dismissed without further notice, and a final judgment will be entered in this case.

DATED this 9th day of November, 2009.

BY THE COURT:

Richard G. Kopf

United States District Judge